

# EXHIBIT

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## CAUSE NO. 380-81972-07

STATE OF TEXAS § IN THE 380TH JUDICIAL  
 § § DISTRICT COURT OF  
 V. § § COLLIN COUNTY, TEXAS  
 KOSOUL CHANTHAKOUMMANE §

**AGREED ORDER MODIFYING EXECUTION DATE**

The Texas Court of Criminal Appeals having affirmed the prisoner's conviction, mandate having issued, and the United States Supreme Court having denied application for writ of certiorari, the direct appeal of the prisoner's conviction is final. *Chanthakouummane v. State*, No. AP-75,794, 2010 WL 1696789 (Tex. Crim. App. Apr. 4, 2010) (not designated for publication), *cert. denied*, 562 U.S. 1006 (2010). The Court of Criminal Appeals has denied the prisoner's original state application for habeas corpus relief. *Ex parte Chanthakouummane*, No. WR-78,107, 2013 WL 363124 (Tex. Crim. App. Jan. 30, 2013) (not designated for publication). The United States Court of Appeals for the Fifth Circuit has also affirmed the denial of federal habeas corpus relief. *Chanthakouummane v. Stephens*, 816 F.3d 62 (5th Cir. 2016), *cert. denied*, No. 15-9536 (U.S. Oct. 3, 2016). Consequently, the prisoner has exhausted his principal avenues of relief through the courts. The Court previously set an execution date of November 10, 2021. The State has moved to modify the execution date and the prisoner's counsel has agreed to the modification. In compliance with Articles 43.141 of the Texas Code of Criminal Procedure, this Court enters the following order.

IT IS ORDERED that the prisoner, Kosoul Chanthakouummane, who has been adjudged guilty of capital murder as charged in the indictment and whose punishment has been assessed by the verdict of the jury and the judgment of the Court at death, shall be kept in custody by the Director of the Institutional Division of the Texas Department of Criminal Justice at Huntsville, Texas, until **Wednesday, the 17th day of August, 2022**. Upon that day, at the Institutional Division of the Texas Department of Criminal Justice at Huntsville, Texas, at any time after the hour of 6:00 p.m., in a room arranged for the purpose of execution, the Director, acting as provided by law, is commanded to carry out this sentence of death by intravenous injection of a substance or substances in a lethal quantity sufficient to cause the death of Kosoul Chanthakouummane, and until Kosoul Chanthakouummane is dead, such procedure to be determined and supervised by the Director of the Institutional Division of the Texas Department of Criminal Justice.

The death warrant previously issued on June 16, 2021, is withdrawn.

The Clerk of this Court shall issue and deliver to the Sheriff of Collin County, Texas, certified copies of this order and a death warrant in accordance with this order, directed to the Director of the Institutional Division of the Texas Department of Criminal Justice at Huntsville, Texas, commanding the Director to put into execution the judgment of death against Kosoul Chanthakouummane.

The Clerk of this Court shall transmit certified copies of this order to (1) Carlo D'Angelo, counsel for Kosoul Chanthakouummane, 100 E. Ferguson St., Suite 1210, Tyler, Texas 75702, (2) to the Office of Capital Wrists, 1700 N. Congress Avenue, Suite 460, Austin, Texas 78701, and (3) the Collin County Criminal District Attorney's Office.

SIGNED AND ENTERED this 18th day of October, 2021.

Benjamin N. Smith  
BENJAMIN N. SMITH  
JUDGE PRESIDING

Approved as to form:

  
Carlo D'Angelo  
Attorney for Kosoul Chanthakouummane

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Associated Case Party: Kosoul Chanthakouummane

Name	BarNumber	Email	TimestampSubmitted	Status
Carlo D'Angelo		carlo@dangelolegal.com	10/17/2021 10:59:44 PM	SENT

Case Contacts

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Lisa Smith		lsmith@co.collin.tx.us	10/17/2021 10:59:44 PM	SENT